

Service Date: January 22, 2001

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

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IN THE MATTER OF MONTANA POWER)	UTILITY DIVISION
COMPANY, Annual Application to Implement)	
its Unreflected Gas Cost, Gas Cost Tracking,)	DOCKET NO. D2001.1.1
and Gas Transportation Adjustment Clause)	
Procedures)	ORDER NO. 6318

PROTECTIVE ORDER

On January 3, 2001, Montana Power Company (MPC) filed a Motion for Protective Order to govern certain information expected to be filed in the above-entitled proceeding. MPC requests protection of information relating to projected and actual core gas supply costs and upstream capacity and certain customer usage information. MPC argues that the identified information is trade secret in accordance with § 30-14-402, MCA.

The Public Service Commission (PSC or Commission) determines that the identified information could be confidential and subject to protection from public disclosure pursuant to § 69-3-105, MCA , and Art. II, § 10, Mont. Const. Therefore, the PSC grants MPC's request and hereby orders that information submitted in accordance with this Order be treated as "confidential information" under the terms of this Order and PSC protective order rules, ARM 38.2.5001 through 38.2.5030.

MPC also requests that this Protective Order extend to other proprietary information submitted by MPC through the course of proceedings. MPC states that it will identify such information in a summary of confidential information at the time of filing. The PSC grants MPC's request, so long as the information to be protected is within a category of information routinely protected by the PSC. For information not within such category, MPC must comply with ARM 38.2.5010.

Done and dated this 16th day of January , 2001, by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

NOTE: There is no reconsideration of the granting of a protective order. There is a procedure to challenge the provider's claim of confidentiality. See ARM 38.2.5008. Reconsideration of a denial of a protective order is available in accordance with ARM 38.2.4806.

Nondisclosure Agreement

ARM 38.2.5012

Docket No. D2001.1.1

Order No. 6318

Order Action Date 1/16/01

I understand that in my capacity as counsel or expert witness for a party to this proceeding before the commission, or as a person otherwise lawfully so entitled, I may be called upon to access, review, and analyze information which is protected as confidential information. I have reviewed ARM 38.2.5001 through 38.2.5030 (commission rules applicable to protection of confidential information) and protective orders governing the protected information that I am entitled to receive. I fully understand, and agree to comply with and be bound by, the terms and conditions thereof. I will neither use nor disclose confidential information except for lawful purposes in accordance with the governing protective order and ARM 38.2.5001 through 38.2.5030 so long as such information remains protected.

I understand that this nondisclosure agreement may be copied and distributed to any person having an interest in it and that it may be retained at the offices of the provider, commission, consumer counsel, any party and may be further and freely distributed.

Typed or Printed Name

Signature

Date of Signature

Business Address:

Employer

Party Represented

